

1 **Health Care Facilities Amendments**

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Katy Hall

3 **LONG TITLE**

4 **General Description:**

5 This bill amends requirements for health care facilities.

6 **Highlighted Provisions:**

7 This bill:

- 8 ▶ defines terms;
- 9 ▶ establishes requirements for certain satellite emergency departments; and
- 10 ▶ limits the number of satellite emergency departments that a single health care
- 11 organization may operate.

12 **Money Appropriated in this Bill:**

13 None

14 **Other Special Clauses:**

15 None

16 **Utah Code Sections Affected:**

17 AMENDS:

18 **26B-2-203**, as renumbered and amended by Laws of Utah 2023, Chapter 305

20 *Be it enacted by the Legislature of the state of Utah:*

21 Section 1. Section **26B-2-203** is amended to read:

22 **26B-2-203 . Services required -- General acute hospitals -- Specialty hospitals --**
 23 **Home health agencies -- Satellite emergency departments.**

24 (1) As used in this section:

25 (a) "Satellite emergency department" means a satellite operation that:

26 (i) provides emergency care or critical care; or

27 (ii) holds itself out as providing emergency care or critical care.

28 (b) "Satellite operation" means a health care treatment service that:

29 (i) is administered by a parent hospital licensee within the scope of the parent

30 hospital licensee's license;

31 (ii) is located farther than 250 yards from the licensed parent hospital's campus or

32 other areas determined by the department to be a part of the licensee's campus;
33 (iii) does not qualify for licensure under this part; and
34 (iv) the department identifies as providing a remote service and approves for
35 inclusion under a parent hospital emergency department's license.

36 [(1)] (2) General acute hospitals and specialty hospitals shall remain open and be
37 continuously ready to receive patients 24 hours of every day in a year and have an
38 attending medical staff consisting of one or more physicians licensed to practice
39 medicine and surgery under Title 58, Chapter 67, Utah Medical Practice Act, or Title 58,
40 Chapter 68, Utah Osteopathic Medical Practice Act.

41 [(2)] (3) A specialty hospital shall provide on-site all basic services required of a general
42 acute hospital that are needed for the diagnosis, therapy, or rehabilitation offered to or
43 required by patients admitted to or cared for in the facility.

44 [(3)] (4)(a) A home health agency shall provide at least licensed nursing services or
45 therapeutic services directly through the agency employees.

46 (b) A home health agency may provide additional services itself or under arrangements
47 with another agency, organization, facility, or individual.

48 [(4)] (5) Beginning January 1, 2023, a hospice program shall provide at least one qualified
49 medical provider, as that term is defined in Section 26B-4-201, for the treatment of
50 hospice patients.

51 (6)(a) A satellite emergency department located in a county of the first or second class
52 shall have available on-site, during operating hours, at minimum:

53 (i) the equipment and personnel to conduct and use:

54 (A) CT scans;

55 (B) x-rays; and

56 (C) clinical laboratory tests and analyses that are customarily used on-site in
57 emergency medical settings, meeting the standards of care for scope,
58 timeliness, and accuracy that apply in hospital-based emergency departments.

59 (ii) a physician who is licensed under Title 58, Chapter 67, Utah Medical Practice Act,
60 or Title 58, Chapter 68, Utah Osteopathic Medical Practice Act, and:

61 (A) is board certified or board eligible in emergency medicine; or

62 (B) has at least 10 years experience providing emergency medical services;

63 (iii) two registered nurses who:

64 (A) are licensed under Title 58, Chapter 31b, Nurse Practice Act; and

65 (B) have specialized training providing emergency medical services;

- 66 (iv) a staff member who:
- 67 (A) is specifically trained, certified, or licensed in respiratory care, sufficient to
- 68 support the needs of patients in a timely and appropriate manner, as determined
- 69 by the satellite emergency department's clinical protocols;
- 70 (B) completes annual training and education in emergency respiratory care; and
- 71 (C) is in addition to the physician and nurses under Subsections (6)(a)(ii) and (iii);
- 72 (v) a certified medical laboratory scientist or a certified medical laboratory
- 73 technologist who is capable of conducting the laboratory tests and analyses
- 74 described in Subsection (6)(a)(i)(C);
- 75 (vi) security personnel capable of maintaining the personal safety of patients and
- 76 providers; and
- 77 (vii) two units of packed red blood cells suitable for emergency use.
- 78 (b) A satellite emergency department located in a county of the first or second class shall
- 79 have available, on-site or on-call to be physically present at the satellite emergency
- 80 department, during operating hours, at minimum, a certified sonographer and the
- 81 equipment to conduct and use an ultrasound.
- 82 (c) A satellite emergency department shall:
- 83 (i) clearly identify itself as an emergency department, using, at minimum,
- 84 prominently lighted external signage that includes the word "EMERGENCY" or
- 85 "ER" in conjunction with the name of the licensed parent hospital under which the
- 86 satellite emergency department is licensed; and
- 87 (ii) prominently display, at locations that are readily accessible to and visible by
- 88 patients outside the entrance to the satellite emergency department and in patient
- 89 waiting areas, signage that:
- 90 (A) states "THIS IS AN EMERGENCY DEPARTMENT";and
- 91 (B) unless the satellite emergency department shares a premises and a public
- 92 entrance with an urgent care center, "THIS IS NOT AN URGENT CARE
- 93 CENTER. EMERGENCY DEPARTMENT RATES ARE BILLED FOR
- 94 SERVICES."
- 95 (d)(i) A satellite emergency department may not hold itself out to the public as an
- 96 urgent care center.
- 97 (ii) Notwithstanding Subsection (6)(d)(i), if a satellite emergency department is
- 98 located on the same premises as an urgent care center, the signage may also
- 99 identify the urgent care center.

100 (7) A satellite emergency department that fails to meet a requirement of Subsections (6)(a)
101 through (d) may not hold itself out as providing critical or emergency care.

102 (8)(a) Except as provided in Subsection (8)(b), a licensed hospital emergency
103 department is limited to having one satellite emergency department operating under
104 the hospital emergency department's license.

105 (b) If a healthcare organization operates more than one licensed hospital emergency
106 department in the state:

107 (i) subject to Subsection (8)(b)(ii), each licensed hospital emergency department may
108 have up to four satellite emergency departments operating under each of the health
109 care organization's licensed hospital emergency departments; and

110 (ii) the health care organization's total number of satellite emergency departments
111 may not exceed the total number of the health care organization's licensed hospital
112 emergency departments in the state.

113 Section 2. **Effective Date.**

114 This bill takes effect on May 7, 2025.